



PATENT APPLICATION

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Election
8/22/03
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tomoko KOYAMA et al.

Group Art Unit: 2811

Application No.: 10/090,755

Examiner: S. Hu

Filed: March 6, 2002

Docket No.: 112158

For: LIGHT EMITTING DEVICE, DISPLAY DEVICE AND ELECTRONIC
INSTRUMENT

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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In reply to the July 15, 2003 Election of Species Requirement, Applicants
provisionally elect Species I, the embodiment of Figure 1, with Figs. 6-11. Claims 1-5, 7, 10-
12 and 16-18 read on the elected Species. This election is made with traverse.

It is respectfully submitted that the subject matter of all claims 1-18 are sufficiently
related that a thorough search for the subject matter of any one group of claims would
necessarily encompass a search for the subject matter of the remaining claims. Thus, it is
respectfully submitted that the search and examination of the entire application could be made
without serious burden. See MPEP §803 in which it is stated that "if the search and
examination of an entire application can be made without serious burden, the examiner must
examine it on the merits, even though it includes claims to independent or distinct inventions"
(emphasis added). It is respectfully submitted that this policy should apply in the present

application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the Election of Species Requirement and to examine all claims in this application.

Respectfully submitted,



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JAO:KMM/scg

Date: August 14, 2003

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